

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN O'SHEA, et al.,
Plaintiffs,

v.

24 HOUR FITNESS USA, INC.,
Defendant.

Case No. [16-cv-01668-JSW](#)
Consolidated Case No. 16-cv-02359-JSW

ORDER TO SHOW CAUSE RE *PRO HAC VICE* APPLICATION OF JAY EDELSON, ESQ.

Re: Dkt. No. 72

Jay Edelson, Esq., has filed an application for admission *pro hac vice*. This Court's Civil Local Rule 11-3(b) provides:

Disqualification from *Pro Hac Vice* Appearance. Unless authorized by an Act of Congress or by an order of the assigned judge, an applicant is not eligible for permission to practice *pro hac vice* if the applicant:

- (1) Resides in the State of California; or
- (2) Is regularly engaged in the practice of law in the State of California. This disqualification shall not be applicable if the *pro hac vice* applicant (i) has been a resident of California for less than one year; (ii) has registered with, and completed all required applications for admission to, the State Bar of California; and
- (3) Has officially registered to take or is awaiting his or her results from the California State Bar exam.

N.D. Cal. Civil L.R. 11-3(b).

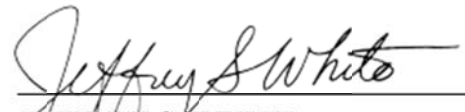
With regard to whether Mr. Edelson is regularly engaged in the practice of law in the State of California, a search of this Court's electronic filing system indicates that Mr. Edelson is listed as an attorney in 57 cases, including this case, filed in this Court between 2006 and the present. The Court does not know whether Mr. Edelson practices in other federal or state courts in the State of California.

1 Accordingly, Plaintiffs are HEREBY ORDERED TO SHOW CAUSE why the Court
2 should not deny Mr. Edelson's application for admission *pro hac vice* pursuant to Civil Local Rule
3 11-3(b)(2). *See generally* *Ang v. Bimbo Bakeries USA, Inc.*, No. 13-cv-01196-WHO, 2015 WL
4 1474866, ** 2-3 (N.D. Cal. Jan. 14, 2015) (overruling objections to *pro hac vice* application);
5 *Guguni v. Chertoff*, No. C-08-1850 JL, 2008 WL 2080788, * 1 (N.D. Cal. 2008) (vacating order
6 granting application to appear *pro hac vice*). In addition to the other issues Plaintiffs may address
7 in response to this order, Plaintiffs shall submit a declaration regarding Mr. Edelson's practice of
8 law in other federal or state courts in the State of California.

9 By February 9, 2017, Plaintiffs shall either file a response to this order to show cause or
10 withdraw Mr. Edelson's *pro hac vice* application. If Plaintiffs elect to file a response to the order
11 to show cause, Defendant may respond to Plaintiffs' filing by February 16, 2017. By February 23,
12 2017, Plaintiffs may file a reply to any response filed by Defendant. The matter shall be submitted
13 upon the filing of Plaintiffs' reply, unless the Court schedules a hearing.

14 **IT IS SO ORDERED.**

15 Dated: February 2, 2017

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18 JEFFREY S. WHITE
19 United States District Judge
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